

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS**

In re James J. Miller et al.

Application No. 10/730,431

Filed: December 8, 2003

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Appeal No. 2008-2806

ORDER GRANTING REQUEST TO RESET HEARING DATE

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for December 11, 2008. The notice setting the hearing was mailed to Applicants on October 28, 2008. The date Applicants received the notice is not apparent from the record. On November 5, 2008, a facsimile letter styled "Request for Rescheduling Oral Hearing" was filed. Applicants requested that the oral hearing be rescheduled. The request has been granted.

According to counsel:

[He] will be unable to attend the Hearing on the scheduled date of Thursday, December 11, 2008, due to a scheduling conflict, particularly a trial set in the 125th Judicial District Court of Harris County, Texas.

For the reasons given above, it is:

Ordered that the request to reschedule the oral hearing to a date after December 11, 2008, is granted.

No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

**BOARD OF PATENT APPEALS
AND INTERFERENCES**

A handwritten signature in dark ink, appearing to read 'R. Williams', is written over a horizontal line.

**Roger L. Williams
Administrative Officer
(571) 272-9797**

**FAX DATE : November 13, 2008
FAX PHONE: (713) 355-9689**

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